

BILLS

Fraud and Waste in Government

S. 2361 *Honest Leadership and Accountability in Contracting Act of 2006*

 Introduced by Senator Byron Dorgan (D-ND) on March 3, 2006 (Original Cosponsor)

- **Punishes War Profiteers** – Creates penalties of up to 20 years in prison and at least \$1 million in fines for war profiteering.
- **Cracks Down on Big Corporate Cheaters** – Restores a rule on suspension and debarment that prohibited awarding federal contracts to companies that exhibited a pattern of failing to comply with the law.
- **Requires Full Disclosure of Contract Abuses** – Creates a “Truth in Contracting” public website identifying overcharges by major contractors.
- **Forces Real Contract Competition** – Prohibits the awarding of huge monopoly contracts, and allows multiple companies to make bids for work so as to ensure price competition.
- **Bans Corporate Cronyism in Contracting** – Requires federal agencies conduct contract oversight, rather than paying contractors with conflicts of interest to oversee one another.
- **Eliminates Conflicts of Interest for Federal Contracting Employees** – Closes the loophole that allows federal contracting officials to take jobs as lobbyists for companies to whom they awarded contracts.
- **Ends Cronyism in Key Government Positions** – Prohibits unqualified political appointees, like David Safavian and Michael Brown, from holding key jobs relating to federal contracting or public safety.
- **Strengthens Whistleblower Protections** – Makes it more difficult for federal agencies to retaliate against whistleblowers, and gives courts wider discretion to consider cases of retaliation.

S. 2277 *Reconstruction Accountability and Fraud Prevention Act of 2006*

 Introduced by Senator Richard Durbin (D-IL) on February 13, 2006 (Original Cosponsor)

Specifically, the legislation promotes accountability and fraud prevention by barring contractors from receiving further federal contracts related to Iraq or Gulf Coast reconstruction if, at any time over the past five years, they have:

- Over-billed the federal government by at least \$10 million;
- Defrauded the government of at least \$10 million; or
- Been suspended or debarred.

The President may waive this restriction in the interest of national security, if he provides notification to Congress.

 ***S. 1738 Special Inspector General for Relief and Reconstruction Act of 2005***

 Introduced by Senator Susan Collins (R-ME) on September 21, 2005 (Cosponsor)

- Expands the responsibility of the Special Inspector General for Iraq Reconstruction to provide independent and objective audits and investigations relating to the federal programs for Hurricane Katrina recovery.
- Boosts funding for the Inspector General in order to cover the costs of its expanded responsibilities. Expanding the existing office's responsibilities rather than establishing a new office would presumably reduce costs and duplication.

 ***S. 1700 Oversight of Vital Emergency Recovery Spending Enhancement and Enforcement Act of 2005***

 Introduced by Senator Tom Coburn (R-OK) on September 14, 2005 (Cosponsor)

- Creates an Office of the Hurricane Katrina Recovery Chief Financial Officer (CFO).
- The CFO would have management and oversight responsibilities for all agencies performing hurricane recovery.
- The CFO would help to ensure that the recovery is done right, instead of simply conducting after-the-fact investigations.

AMENDMENTS

Fraud and Waste in Government



H.R. 4939 The Fiscal Year 2006 Emergency Supplemental for Iraq, Afghanistan, and Hurricane Katrina Relief



S.AMDT 3810 – Introduced by Senator Barack Obama on May 1, 2006

The amendment mandates that any contract exceeding \$500,000 for hurricane relief and recovery efforts must be awarded using competitive procedures.

- Amendment was agreed to by a Yea-Nay vote 98-0 – Recorded Vote Number 106.
- Senator Johnson voted in favor.



H.R. 4939 The Fiscal Year 2006 Emergency Supplemental for Iraq, Afghanistan, and Hurricane Katrina Relief



S.AMDT 3775 – Introduced by Senator Tom Harkin (D-IA) on May 1, 2006

This amendment would require the Department of Justice to allow these cases filed under the False Claims Act to go to trial after a maximum one-year review period. After the one year period, the allegations become public and the cases proceed forward.

- Senator Johnson was a cosponsor.
- The Amendment was not voted on by the full Senate



S. 2020 Tax Relief Act of 2005



S.AMDT 2605 – Introduced by Senator Barack Obama (D-IL) on November 17, 2005

Expressing the sense of the Senate that the Federal Emergency Management Agency should immediately address issues relating to no-bid contracting.

- Amendment agreed to by Unanimous Consent.
- Senator Johnson was a cosponsor.



S. 1042 National Defense Authorization Act for Fiscal Year 2006



S.AMDT 2476 – Introduced by Senator Byron Dorgan (D-ND) on November 9, 2005

Establishes a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism.

- Amendment failed by Yea-Nay vote 44-53 – Recorded Vote Number 316.
- Senator Johnson voted in favor.